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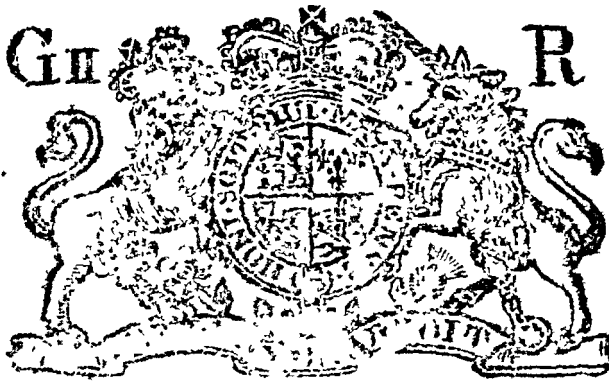
Anno Regni

GEORGE II.

REGIS

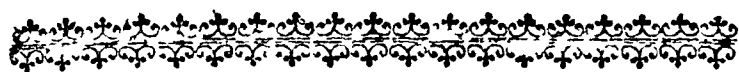
Magna Britannia, Francia, & Hibernia,
VICESIMO OCTAVO.

At a SESSION of the General Assembly of the Colony of *New-York*, held at the City-Hall in the City of *New-York*; began the Twentieth Day of *August*, 1754, and continued by diverse Adjournments to the Nineteenth Day of *February*, 1755, in the Twenty Eighth Year of Reign of our Sovereign Lord GEORGE the Second, by the Grace of GOD, of *Great-Britain, France and Ireland*, KING, Defender of the Faith, &c.



NEW-YORK,

Printed by J. PARKER, at the New-Printing-Office in
Beaver-Street, MDCCLV.



Anno viceſimo octavo

GEORGII ſecundi Regis.

*An ACT for regulating
the Militia of the Colony of
New-York.*

WHEREAS a due and proper Regulation of the Militia of this Colony, tends not only to the Security and Defence thereof, but likewise to the Honour and Service of his Majesty.

I. Be it therefore Enacted by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and Persons from 16 to 60 years to inliſt. it is hereby Enacted by the Authority of the ſame, That every Perſon inhabiting this Colony, from Sixteen Years to the Age of Sixty Years, ſhall inliſt himſelf with the Captain or next commanding Officer, either of the Troop of Horſe, or the Company of Foot in the City Town, Borough, Manor or Precinct, where ſuch Perſon ſhall reſide or ſo-Penalty 40s. for every 3 months. journ, under Penalty of *Forty Shillings*, for every three Months ſuch Perſon
A ſhall

Disputes a-
bout Age,
how deter-
min'd.

shall remain not inlisted. And all Captains of Troops of Horse, and of Companies of Foot within this Colony, are commanded to take due Care to inlist such Persons accordingly. And in Case of any Dispute, concerning the Age of any Person, the same shall be determined by the Officer before whom such Dispute shall happen, by the Oath of the Person whose Age is in Question, or the Oath of his Parent, or some other credible Witness; which Oath the said Officer is hereby impowered to administer, and to determine accordingly.

Once a year
Enquiry to be
made whe-
ther all are
inlisted.

Penalty on
the Colonel
or other off-
icer 5l.

II. And be it Enacted by the Authority aforesaid, That the Colonels or commanding Officers of all Regiments, Troops, or unregimented Companies, shall, at least once a Year, issue their Warrants to their inferior Officers, directing him or them, to make diligent Enquiry in their respective Districts, that all Persons be duly inlisted, armed and equipped; and to return to them the Names of the Defaulters, to the End they may be punished according to this Act. And the Colonel or other Officer neglecting his Duty herein shall forfeit the Sum of *Five Pounds* for every such Neglect or Omission.

III. And be it further Enacted by the Authority aforesaid, That once a Year at least, or oftner if Occasion requires, and Command be given by the Colonel, or in his Absence, by the next commanding Officer of the respective Regiments, the several Companies in each Regiment, and the Troops of Horse, and Independent Companies of the several Cities and Counties, shall meet at such Place or Places therein as shall be appointed by the Colonel, or in his Absence, by the next commanding Officer, to be then and there mustered and exercised: And every Troop and Company shall be duly mustered and exercised by their respective Captains, or next commanding Officer, at least four Times in every Year, and so often as the Governor or Commander in Chief shall appoint.

Militia of each County to appear once a year.

Every company to be exercised four times a year at least.

IV. And be it Enacted, That every Soldier belonging to the Companies of Foot, shall appear and be provided with a well-fixed Musket or Fuzee, a good Sword, Belt, a Cartouch Box filled with Nine Cartridges of Powder, and Nine sizeable Bullets, under the Penalty of *Five Shillings* for a Musket or Fuzee not well fixed; and *One Shilling*

How the foot are to be equipped.

Penalty for default in muskets every other article is.

A 2

for

Whole pena.
not to exceed
20s.

Every foldier
to have 1lb
gun powder,
and 3lb bulet
at his habita
tion.

Penalty 10s.

for the Want of every Sword, Belt, Cartouch Box, Cartridge, or Bullet; the whole Penalty for the Default of one Person for one Day, not to exceed *Twenty Shillings*; and the Sufficiency of the Musket or Fuzee, Sword, Belt, or Cartouch Box, to be judged of and determined by the Captain, or next commanding Officer. And every Foot-Soldier or Trooper, shall, at his Habitation or Place of Abode, have one Pound of good Gun Powder, and three Pounds of sizeable Bullets, upon Penalty of *Ten Shillings* for each Soldier. And if any Foot-Soldier or Trooper, shall refuse to shew his Captain, or the Officer or Person sent by him, all or any of the Equipage, Furniture or Ammunition herein mentioned, he shall be deemed to be unprovided therewith, and shall be fined accordingly.

How the
horse are to
be equipp'd.

V. **Be it also Enacted**, That every Soldier belonging to the Horse, while on Duty, shall be provided with a good serviceable Horse, not less than fourteen Hands high, with a good Saddle, Holsters, Housing, Breast-Plate and Crupper; a Case of good Pistols, a good Sword or Hanger, Half a Pound of Gun Powder, and twelve sizeable Bullets;
a Pair

a Pair of Boots with suitable Spurs, and a Carabine well fixed with a good Belt, Swivel and Bucket, under the Penalty of *Ten Shillings* for Want of a sizeable Horse, and the Penalty of *Five Shillings* for Want of each or either of the Articles of the Troopers Furniture. And the Troopers in the City and County of *New-York*, shall be clothed with a blue Coat and Breeches, with yellow Metal Buttons, and a scarlet Waistcoat, and their Hats laced with Gold Lace. And the Troopers for the City and County of *Albany*, shall be clothed with blue Coats, and their Hats shall be laced with Silver Lace, under the Penalty of *Five Shillings* for the Want of every Article of such Clothing: The whole Penalty on a Trooper for the Defaults of one Day, not to exceed the Sum of *Forty Shillings*.

For default in horse 10s.
Each article of furniture 5s.

Clothing of troopers in *New-York* and *Albany*.

Penalty 5s on each Article wanting.

VI. And be it further Enacted by the Authority aforesaid, That the Colonel, or in his Absence, the next commanding Officer of each respective Regiment; who shall fail to draw out and muster the same together once in every Year, or when commanded so to do by the Governor, or Commander in Chief

Col. not mustering his regiment once a year, or when ordered, to forfeit 20l.

Captain's
failing to ap-
pear, or not
exercifing
their Compā-
nies, to for-
feit 5l.

Subaltern of-
ficers, 3l.

Persons in-
lifted not ap-
pearing or re-
fufing duty,
forfeit 20s.

Where troo-
pers are wan-
ting, how to
be fupply'd.

Chief for the Time being, fhall forfeit for every Offence, the Sum of *Twenty Pounds*. And every Captain of a Troop or Company, who fhall fail to appear as directed by this Act, or appearing, fail or neglect to exercife the Troop or Company under his Command; every fuch Captain, for every fuch Default or Neglect, fhall forfeit the Sum of *Five Pounds*; and every Lieutenant, Cornet or Ensign, who fhall not appear at fuch Times, or appearing, fhall not perform his Duty, fhall forfeit and pay the Sum of *Three Pounds*.

VII. And be it alfo Enacted, That if any Person inlifted to ferve, either in Horfe or Foot, fhall neglect to appear at fuch Times as are by this Act directed; or, appearing under Arms, fhall refuse or neglect to perform fuch military Duty as fhall be required of him, or fhall depart from his Colours or Guard, without Leave from the proper Officer, he fhall forfeit the Sum of *Twenty Shillings*.

VIII. AND to the End there may be a constant Supply of Troopers in each City and County within this Colony, where there are Troopers of Horfe, Be it Enacted, That in Cafe of Deficiency

ciency in the Number of any Troop, and the same cannot be supplied by Voluntiers, the Captain, or in his Absence, the next commanding Officer of such Troop, shall, under his Hand, certify to the Colonel, or in his Absence, to the next commanding Officer of the Regiment where such Deficiency shall happen, how many Troopers are wanting in such Troop; who shall thereupon nominate out of the said Regiment the Number so wanting; *Provided*, The Person or Persons so nominated be a Freeholder, and not under the Age of Twenty One Years, except in the City of *New-York*, where Persons may be nominated though they are not Freeholders. And the Person or Persons so nominated, shall, within the Space of Two Months thereafter, inlist in such Troop; or refusing or neglecting so to do, shall respectively forfeit the Sum of *Ten Pounds*; on Payment whereof, such Person shall not be liable to any further Forfeiture respecting the Troop; but shall, nevertheless, be subject to serve in the Foot, as if no such Nomination had ever been made.

Penalty 10l.
for refusing
to serve in the
troop.

IX. And be it Enacted by the Authority aforesaid, That no Person or Persons,

Penalty 40s.
for refusing to
serve as ser-
geant or cor-
poral.

And refusing
to warn the
company 20s

Captains to
provide co-
lours, drums,
&c for their
companies.

Penalty.

Refusing to
serve as
drummer, &c
penalty 40s.

sons, being thereunto required by their Captain or next commanding Officer, shall refuse or neglect to serve as Sergeant or Corporal in any Troop or Company, under the Penalty of *Forty Shillings*: And in Case any Sergeant or Corporal shall refuse or neglect to warn the People to appear under Arms when required by his Captain or next commanding Officer, he shall for every such Neglect or Refusal, forfeit *Twenty Shillings*.

X. Be it further Enacted, That all Captains of Troops of Horse, and Companies of Foot, shall, at their own Charge, provide for their Troops and Companies respectively, Drums and Trumpets, Colours and Banners, and Drummers and Trumpeters, under the Penalty of *Six Pounds*. And for every Month such Captain shall remain unprovided therewith, the Sum of *Three Pounds*: And all Drummers and Trumpeters in Service, shall serve for the annual Salary of *Forty Shillings*, finding their own Trumpet or Drum; and *Twenty Shillings* if the Captain do provide the Trumpet or Drum: And each Drummer or Trumpeter refusing to serve as such, shall forfeit *Forty Shillings*.

XI.

XI. *And be it also Enacted by the Authority aforesaid,* That once every Year, the Captains, or in their Absence the next commanding Officer of every Troop or Company, whether regimented or independent; shall deliver to the Colonel, or in his Absence, to the next commanding Officer of the Regiment, for the City or County where such Troops or Companies are or may be, a true and complete Roll, under his or their Hands; containing the Names of all the Persons belonging to, and enlisted in their respective Troops and Companies, under the Penalty of *Five Pounds* On penalty of 5l, for every Neglect or Omission. And the said Colonels, or the next commanding Officer of the respective Regiments, shall, within one Month after the Receipt of every such Roll, deliver or send the same (keeping a Copy of every such Roll) to the Commander in Chief for the Time being, under the like Penalty.

Captains to deliver rolls of their companies once a year to the colonel,

On penalty of 5l,

Which the colonel is to send to the commander in chief, under the like penalty.

XII. *Be it Enacted,* That no Commission Officer, either of Companies of Foot or Troops of Horse, whether regimented or unregimented, or any Trooper of the Cities of *New-York* or *Albany*, shall be subject or liable to serve in the Office of Constable, if cho-

No commission officer, or any trooper in *N. York* or *Albany*, liable to serve as constable,

ſen while he is ſuch: Any Law, Uſage or Cuſtom to the contrary notwithstanding.

XIII. And to the End Articles of War may be eſtabliſhed within this Colony; **Be it further Enacted,** That the Field-Officers of the ſeveral Regiments ſhall be ſummoned to meet for that Purpoſe, at the Time and Place to be expreſſed in ſuch Summons. And if at any Meeting or Meetings in Conſequence thereof, there ſhall be one Field Officer at the leaſt from each reſpective Regiment in this Colony; ſuch Articles as the Governor or Commander in Chief ſhall eſtabliſh, with the Conſent of a Majority of the Field Officers ſo met; ſhall, by Virtue of this Act, have full Force and Effect for the Punishment of all Offenders againſt the ſaid Articles, or any Thing therein contained. *Provided,* ſuch Punishments be by Fine or Imprisonment only, or both. And every Field Officer ſo ſummoned who ſhall, without reaſonable Cauſe neglect or reſuſe to appear accordingly ſhall forfeit the Sum of *Twenty Pounds*. And all Officers and Soldiers of the Militia, Horſe, or Foot, within this Colony, during ſuch Time as they c
an

Field-officers
to meet to e-
ſtabliſh arti-
cles of war

Such articles
enforced.

Punishment
by ſuch arti-
cles to be by
fine and im-
prisonment.

Penalty on
field-officers
for not ap-
pearing to
eſtabliſh arti-
cles, &c.

any of them are under Arms, in the Field, or upon Watch and Ward, or other Duty, shall, and each and every of them shall, observe and keep all and every the Articles of War so established, and shall pay due Obedience to his or their superior Officer or Officers, and all his or their lawful Commands:

Which Articles of War when so established, shall be printed by the Publick Printer: And the respective Captains shall provide themselves with Copies thereof, and cause them to be publickly read to their respective Companies, while under Arms, at least four Times in every Year; to the End all Persons so enlisted, may the better know and understand their several Duties: And if any Officer or Soldier, shall at any Time whatsoever, whether under Arms, upon Duty, or otherwise, maliciously abuse, affront, or take Revenge, or endeavour by Force to take Revenge, for any Matter or Thing by his or their superior Officer lawfully done, in Pursuance of his or their Duty, or of any Thing contained in this Act, the said Officer or Soldier shall be brought before a Court-Martial, and shall be tried for the same, according to the true In-

Articles of war to be printed and read to the several companies four times a year.

Persons taking revenge for any thing done in pursuance of this act, to be tried by a court martial.

tent and Meaning of fuch Articles of War.

XIV. And he it alfo Enacted by the Authority aforefaid, That there fhall be Beacons forthwith erected at the following Places, *that is to fay*, One on the western Part of *Rockway*; One other at the *Narrows*, on the *Island Nassau*; One other at the Point oppofite thereto on *Staten-Island*, and One other upon *Mr. Kennedy's Island*; each of which Beacons fhall be made of twelve or a greater Number of Poles fet in the Ground, at proper Difances afunder, and a Pitch-Barrel on each Pole; and the refpective Persons living neareft to the fame, fhall upon feeing the Beacon which may be erected near *Sandy-Hook*, or other Place, on Fire; or upon the Appearance of Six or a greater Number of large Ships, which from proper Glaffes they may judge to be Ships of War, fet Fire to a like Number of fuch Pitch Barrels; and at every of the faid Places, where Beacons are appointed to be erected, there fhall be lodged a Cannon or Great-Gun, with a fufficient Quantity of Gun-Powder; and immediately after the faid Beacons fhall be fo fet on fire, fuch Gun fhall be

Beacons to be erected at certain places.

To be fired on the appearance of Six fhips.

A great Gun to be lodged at every beacon, and fired once for every fuch fhip.

be discharged from each Beacon once for every large Ship that appears in Sight. And at all Times when the Governor or Commander in Chief, shall order and appoint a Guard to be kept at the said Beacons; any or either of them, (except the Beacon upon Mr. Kennedy's Island) the respective Colonels, or in their Absence, the next commanding Officer of the Regiments in the Counties where such Beacons are erected, shall cause such a Guard or Watch to be kept, and by such Detachments of Men from their respective Regiments as shall be so ordered and appointed. And the Persons duly warned for that Purpose, and not appearing, or not performing that Service, or sending a sufficient Person in their room, shall severally forfeit the Sum of *Forty Shillings*: And the Colonel or next commanding Officer, neglecting his Duty herein, shall be subject to the Penalty of *Fifty Pounds*. And every of the Persons who shall have the Charge and Care of such Beacons at the Time of such Watching and Guard as aforesaid; and shall neglect, in the Cases before-mentioned, to fire the same, and to discharge the great Gun

Guard to be kept at the beacons when appointed.

Persons refusing to serve on such guard to forfeit 40s

And the colonel neglecting his duty to forfeit 50l.

Penalty 20l. for neglect to set fire to the beacons.

in

How the charge of such beacons are to be defrayed.

in Manner aforesaid, shall forfeit *Twenty Pounds*. And the Charge of erecting the said Beacons, and of such other Beacons as the Governor or Commander in Chief, with the Advice of his Majesty's Council shall direct, and order to be erected at any other Place or Places within this Colony, for the spreading an Alarm through the same, and to the neighbouring Colonies of *New-Jersey* and *Connecticut*, and the Expence of carrying and transporting Cannon to such Places, and of the Gun-Powder to be lodged there; shall be borne and defrayed by the Publick, and paid from Time to Time, on Warrants drawn by the Governor or Commander in Chief, with the Advice and Consent of the Council, on the Treasurer of this Colony, who is hereby required and directed forthwith to discharge the same out of any Money in the Treasury appropriated for contingent Services.

XV. And be it further Enacted by *the Authority aforesaid*, That in Case of an Alarm, every Soldier upon Notice thereof, is immediately to repair armed to his Colours or Parade, on Penalty of *Twenty Five Pounds*; which Parade shall

Soldiers on alarm to repair to their colours.

Penalty 25l.

shall be understood to be the Habitation of his Captain, unless it shall be otherwise ordered and appointed. And for the Prevention of false Alarms, no Captain, Master or Commander of any Ship or Vessel riding at Anchor in any of the Rivers, Harbours or Bays of this Colony, or any other Person, shall fire any great Gun after Eight of the Clock at Night, under Penalty of *Forty Shillings*, for every such Gun so fired, to be levied by Warrant from the chief Officer of the Regiment next adjoining, not under the Degree of a Captain, who is hereby impowered to have Jurisdiction thereof, and to administer an Oath, and give Judgment thereupon, and to direct Distress and Sale of the Offender's Goods; and for Want of such Distress, the said chief Officer is impowered to commit such Offender to Goal, there to remain until Payment be made of the same. And the Captain, Commander, or Master of any Vessel, from whence such Gun or Guns shall be fired, shall be deemed and understood to be the Offender in this Respect; and in Case the chief Officer of the Regiment; or Captain aforesaid, shall not perform his Duty therein, he shall forfeit

No person to fire a great gun after 8 o'clock at night.

Penalty 40s.

How to be recovered.

forfeit *Three Pounds*, to be levied by Warrant from the Governor or Commander in Chief for the Time being.

XVI. And be it Enacted by the Authority aforeſaid, That in Caſe of any

In caſe of alarm or in-
vaſion, Offi-
cers to raiſe
the Militia,
and ſend No-
tice to the
Officer com-
manding the
Regiment.

Who iſtodiſ-
patch an Ex-
preſs to the
Commander
in Chief.

Alarm, Invaſion, Infurrection, or Rebellion, every Officer of the Militia ſhall have full Power and Authority by Virtue of this Act, and is hereby required forthwith, to raiſe the Militia or Company under his Command, and to ſend immediate Intelligence to the commanding Officers of the Regiment to which he belongs ; who alſo are hereby required and commanded to ſend forwards the Intelligence forthwith to the commanding Officers of the next adjacent Counties ; informing him and them at the ſame Time, in what Manner he intends to proceed ; and ſhall in the mean Time, keep the Militia under his Command under Arms, until he receives Orders from his ſuperior Officer : And every commanding Officer in every County, upon any Alarm, or receiving Intelligence of any Infurrection, Invaſion or Rebellion, ſhall forthwith diſpatch an Expreſs to the Governor or Commander in Chief for the Time being, notifying the Danger,
and

and shall therewith signify the Strength and Motions of the Enemy. And the said commanding Officer hath hereby full Power to impress Boats and Hands, Men and Horses, as the Service may require; and shall draw together the Militia of his County, and march them to such Place or Places as he shall judge most convenient for opposing the Enemy, and to such Place or Places as shall be directed by the Governor or Commander in Chief for the Time being. And every Field-Officer that shall neglect or refuse to perform his Duty hereby required, shall forfeit the Sum of *Five Hundred Pounds*; and every Captain or other commissioned Officer, for his Neglect or Refusal therein, shall forfeit the Sum of *Three Hundred Pounds*; and every Non-commissioned Officer or private Man, for his Neglect or Refusal of such Duty, shall forfeit the Sum of *One Hundred Pounds*; and every commissioned Officer, besides paying such Forfeiture, shall be degraded, and rendered incapable thereafter of holding or exercising any Office, civil or military, within this Colony.

Power to the commanding officer to impress boats, horses, &c.

And to march the militia of his county where necessary to oppose the enemy, or directed by the commander in chief.

Penalty

---On field-officers 500l. Captains and other commissioned officers 300l.

Non-commissioned officers, and private men, 100l.

And commissioned officers to be degraded and rendered incapable of holding any office.

XVII. AND whereas the County of *Suffolk* is so situated, that a Descent

C

may

Captains of
the compa-
nies in *Suffolk*
may march
against an e-
nemy with-
out waiting
for orders
from the co-
lonel.

may be made on the Eastern Part thereof by Water ; and the said County being extensive, the remote Parts which are most exposed, are generally at a great Distance from the Colonel or commanding Officer of the Regiment ; and, consequently, the waiting for Orders from the said commanding Officer, may greatly expose such remote Places to the Ravages of small Parties of the Enemy ; **Be it therefore Enacted,** That the Captains, or next commanding Officer of the several and respective Companies within the said County, nearest to any Place where such Descent may happen to be made, shall immediately call together his or their Company or Companies, and forthwith march them towards, and use their utmost Endeavours to repel and drive off the Enemy ; and on the first Notice of such Descent, shall dispatch an Express to the commanding Officer of the Regiment of the said County, with Intelligence thereof, and of the Number and Motions of the Enemy, according to the best Information he or they shall have obtained ; any Thing herein before contained to the contrary notwithstanding.

XVIII.

XVIII. And be it also Enacted by the Authority aforesaid, That if any Naval Force should make any Attempt upon the City of *New-York*, and there should not be a sufficient Quantity of Gun-Powder belonging to the Government for the Use and Defence of the same, there shall be immediately impressed by the Commander in Chief for the Time being, or by the Field Officers of the Regiment of the City of *New-York* for the Time being, so much Gun-Powder as upon such an Event may be requisite and necessary to make a vigorous Defence ; and such Part thereof, as upon such an Emergency shall be expended, the General Assembly shall and will provide Ways and Means fully to pay for the same, at the then current Price.

Gun-powder to be impressed if wanted for the defence of the city of *New-York*.

XIX. And be it further Enacted by the Authority aforesaid, That in Case of an Alarm or actual Invasion in the Cities of *New-York* or *Albany*, or in the Township of *Schenectady*, the Colonel or next commanding Officer of the respective Regiments there, may and shall order and direct each and every Inhabitant of the said Cities or Township, being Master or Owner

Negroes to be employed at the artillery in case of an Invasion.

Owners de-
taining their
negroes at
fuch times, to
forfeit 4ol.

Slaves killed
or difabled to
be valued,
and the ow-
ners paid ac-
cordingly.

of any Man-Slave, whether Negro, Indian or Mulato, to deliver up to the Officer appointed, or to the Place directed for the Rendezvous, every fuch Slave to be employed at the Artillery of the feveral Fortifications in the faid Cities or Township refpectively, under the Direction of the proper Officer or Officers, or in any fuch Manner as fhall be directed by the Governor or Com- in Chief for the Time being. And in Cafe any Inhabitant fhall neglect or re- fufe to deliver up or fend any fuch Slave in Manner as aforefaid, he, ſhe or they fhall forfeit and pay the Sum of *Forty Pounds* current Money of this Colony: And if any fuch Slave or Slaves fhall be killed or difabled in fuch Ser- vice, the Value of the faid Slave or Slaves fhall be afcertained by Six Free- holders of the faid Cities refpectively; and the Mayors Courts of the faid Cities refpectively, are hereby authorized and impowered to nominate and appoint fuch Six Freeholders, and to admini- ſter an Oath to each and every of them, well and truly to afcertain the Value of fuch Slave or Slaves, to the beſt of their Judgment. And the Sum or Sums at which fuch Slave or Slaves fhall

shall be so valued, shall be paid to the Owner or Owners thereof, out of such Money as shall be hereafter raised by Act or Acts to be passed for that Purpose. And if it should be found necessary to order any such Slave or Slaves from other Parts of this Colony for the Defence of the said Cities, or the Township of *Schenectady*, in Case of Alarm, or Invasion; the Governor or Commander in Chief, may direct such a Number of them, and from such Place or Places as he shall think requisite for such Service. And if any Person, Owner of such Slave, shall refuse to deliver him to the Officer appointed, such Person shall forfeit the Sum of *Forty Pounds*. And in Case any such Slave so employed, shall be killed or disabled, the Value of such Slave shall be ascertained, and the Owner thereof paid in like Manner as above in this Clause is directed.

XX. And be it further Enacted by the Authority aforesaid, That within two Months after the Publication of this Act, every Master or Mistress of every Indian, Negro, Mulato, or other Slave, above the Age of Fourteen Years within this Colony, shall deliver to the Captain

All persons to deliver lists of their slaves to the captain of the district they reside in, within one month, on penalty of 40s.

Every captain to deliver to the commander in chief a list of the whole number of slaves reported to him, on a penalty of 5l.

In case of invasion, capt. to leave detachments to guard against insurrections of the negroes.

tain of the Company in the respective Districts wherein they reside, a true List of all such Slaves in their Possession, both Male and Female, under the Penalty of *Forty Shillings*. From all which Lists, such Captain shall make a List of the whole Number of Slaves so reported to him, distinguishing therein the Sex and Number belonging to every Person by Name, and shall transmit the same under his Hand, as soon as may be, to the Governor or Commander in Chief, under the Penalty of *Five Pounds*. And in Case of any Alarm or Invasion, the Captain or other Officer, commanding the Company in each respective District, shall (unless it is otherwise provided, by Order from the Governor or Commander in Chief) appoint and leave such proper Detachment of his Company as he shall judge necessary, to guard against an Insurrection of the Negroes ; always observing to appoint for the said Detachment, such Persons who may be best spared from the Company.

XXI. And be it also Enacted by the same Authority, That if one or more Negro, Indian, or Mulato Slave or Slaves, above the Age of Fourteen Years

Years within this Colony, shall, in the Time of Alarm or Invasion, be found at the Distance of one Mile or more from the Habitation or Plantation of their respective Owners, without a Certificate from their respective Owners, signifying the Errand or Business they are sent upon, it shall be adjudged Felony without Benefit of Clergy in such Slave or Slaves; and it shall and may be lawful for the Person or Persons finding such Slave or Slaves, at or beyond the said Distance or Limits, to shoot or otherwise destroy such Slave or Slaves, without being impeached, censured or prosecuted for the same; any Law, Usage or Custom to the contrary notwithstanding.

XXII. *And be it further Enacted by the Authority aforesaid,* That if any Person be wounded or disabled upon any Invasion, or in any other military Service, he shall be taken Care of, and provided for by the Publick, during the Time of such Disability.

XXIII. *Be it further Enacted,* That all Physicians, Surgeons and Apothecaries, resident within the Cities of *New-York* and *Albany*, in Case of Invasion and Attack by the Enemy, shall respectively

Slaves found in time of invasion a mile from their masters habitation, may be shot or destroyed with impunity.

Persons disabled on invasion to be provided for by the publick.

Physicians, surgeons, &c. in time of invasion to attend with medicines, &c.

respectively attend each respective Troop and Company of the Militia (as Occasion may require) with Medicines and Utenfils, on such Posts as shall be assigned by the Governor or Commander in Chief for the Time being, to take Care of the Sick and Wounded; And for their Care and Medicines administered to poor Men and Servants; wounded or Sick in the Service, they shall be paid and rewarded out of the publick Treasury of this Colony: And in Case any Physician, Surgeon or Apothecary, resident as aforesaid, shall wilfully neglect their Attendance upon any such Occasion, the Person or Persons so neglecting, shall forfeit the Sum of *One Hundred Pounds*.

Penalty 100l.

On alarm or invasion independent companies to be under the command of the colonel.

XXIV. *Be it also Enacted by the Authority aforesaid,* That in Case of a general Alarm or Invasion, all unregimented or independent Companies and Troops, shall, in the Absence of the Governor or Commander in Chief, be under the immediate Command and Direction of the Colonel, and in his Absence, the next Field Officer of the Regiment of the City or County where such unregimented or independent Companies or Troops are or may be; any

any Thing herein to the contrary thereof notwithstanding.

XXV. *And be it Enacted by the same Authority,* That in Case of an Alarm or Invasion, every Person able to bear Arms that shall leave the City or County invaded, or apparently in danger of being invaded, without the Order of the commanding Officer for the Time being, or shall refuse to obey the just and legal Orders of his proper Officer, shall suffer the Pains of Death, by being shot at the Head of the Company to which he belongs ; and if he be an Officer, he shall be shot at the Head of the Regiment, being first duly convicted by a Court-Martial.

Persons leaving a place invaded, or refusing to obey orders, to suffer death.

XXVI. *AND* whereas upon certain Emergencies, it may be necessary to keep military Watch and Ward in some Part or Parts of this Colony ; *Be it therefore Enacted by the same Authority,* That as often as the Governor or Commander in Chief, by Order under his Hand, issued by the Advice and Consent of the Council, shall order and appoint such military Watch to be kept in any of the Cities or Counties within this Colony ; all Persons able to bear Arms, living within the Places or Dis-

Military watch and ward to be kept on emergency, when directed by the commander in chief.

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stricts

Penalty 12s.
for refusing
to serve on
such watch.

Officers refu-
sing to forfeit
40s.

In the ab-
sence of the
commander
in chief, the
commanding
officer of the
regim. may
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litary watch.

stricts where the said military Watch is to be kept (except the Persons hereafter excepted) shall in their Turns, upon due Warning, be obliged to serve upon such military Watch, or put a sufficient and well-armed Man in their Room, under the Penalty of *Twelve Shillings*, for every Default or Neglect. And commissioned Officers in their Turns, shall always be obliged to mount such Guard in Person, under the Penalty of *Forty Shillings* for every Neglect: But Captains shall not be compelled to serve in such military Watch, unless the same consists of a Captain's proper Command. And upon all sudden Emergencies, in the Absence of the Commander in Chief, the Colonel, or in his Absence, the next commanding Officer of the Regiment of the County in which such Emergencies may arise, is hereby authorized and impowered, to appoint such military Watch to be kept in the City, Town, or Place he shall judge it to be necessary, sending immediate Notice thereof to the Governor or Commander in Chief, to the End the same may be continued or not, as shall be thought expedient. And Defaulters in this Case, shall be liable to the

the same Penalty as where such military Watch is established by Order of the Governor or Commander in Chief, as aforesaid.

XXVII. *And be it further Enacted by the same Authority,* That every military Watch or Guard, shall post Centries in such Places as the Officer of the Guard thinks proper; and every Century that shall leave his Post, or fall asleep where he is posted, shall be liable to such Punishment as shall be inflicted by a Court-Martial: And every Century, upon the Approach of any Person or Persons, shall challenge him or them three Times distinctly; and if they make no Answer the first, second, or third Time, he shall fire upon him or them. And if it should so happen, that he should kill or wound the Person or Persons so challenged, every Century so wounding or killing any Person or Persons as aforesaid, shall not be liable to any Punishment; any Law, Usage or Custom to the contrary notwithstanding.

Regulation
of the milita-
ry watch:

XXVIII. *AND for the greater Security of the Inhabitants of the City and County of Albany, against a Surprise by an Enemy; Be it Enacted, by the Authority aforesaid,* That one Act of

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The acts for
establishing
military
watch in *Al-*
bany,

And to con-
tinue the act
passed in
1746, reviv-
ed.

the Legislature of this Colony, entitled *An Act for the establishing a military Watch for the City and County of Albany*, passed and published the third Day of *May*, One Thousand Seven Hundred and Forty Six; and one other Act, entitled, *An Act to continue an Act, entitled, An Act for the establishing a military Watch for the City and County of Albany*, with Addition thereto; passed and published the sixth Day of *December*, One Thousand Seven Hundred and Forty Six, shall be, and hereby are revived; and every Clause, Article and Thing in the said two Acts contained, are hereby re-enacted; and shall continue and remain in full Force to all Intents, Constructions and Purposes whatsoever, during the Continuance of this Act; any Thing herein before contained to the contrary thereof notwithstanding.

XXIX. And be it Enacted, That all Commission Officers in the Militia of this Colony, dwelling either in the Cities of *New-York* or *Albany*, or in the Township of *Schenectady*, shall wear their Swords every Sunday during Divine Service, under the Penalty of *Twenty Shillings* for every such Neglect, to be recovered before the Mayor, Recorder.

Officers in *N. York, Albany* and *Schenectady* to wear their swords on sundays.

Penalty, 20s.

corder, or any one of the Aldermen of the said Cities, or any one Justice of the Peace in the said Township respectively; to be applied One-half thereof to the Person or Persons who shall sue for the same, and the other Half to the Use of the Poor of the said Cities and Township respectively.

XXX. AND whereas by former Acts for regulating the Militia of this Colony, all Justices of the Peace, Coroners, and all other Officers of Courts, and School-Masters; have been exempted and freed from inlisting in any Troop or Company; which Exemption is thought very unreasonable: **Be it therefore Enacted**, That all Persons bearing or exercising such Offices or Employments as aforesaid, and all others heretofore exempted from military Duty, who reside in the Cities of *New-York* and *Albany*, Township of *Schenectady*, and *King's* County, shall immediately after the Publication of this Act, be formed into one or more Company or Companies, in such Manner as the Governor or Commander in Chief for the Time being shall think convenient; and shall appear in all Cases of Invasion, Alarm or military Watch, at every general

how recovered and applied. Persons heretofore exempted in *N. York, Albany, Schenectady* and *King's* County, to be formed into companies

The duty of such persons.

general Review or Muster of the Regiment, and so often at other Times, as the Governor or Commander in Chief shall order and appoint: And on such Occasions, shall be subject to the like Regulations, Pains, Penalties, Fines and Forfeitures, as other Companies of Foot within this Colony are subject and liable to. And until such Persons are formed into separate Companies, they shall be and are hereby obliged to enlist in some Company of Foot in the said City; but shall be subject only to such Duty, as if actually so formed into Companies: any Thing in this Act, or any other Act or Ordinance whatsoever to the contrary notwithstanding.

Regulation
as to other
Persons formerly
ex-
empted.

XXXI. And be it further Enacted by the same Authority, That all Persons heretofore exempted as aforesaid, who dwell in other Parts of this Colony, shall be either formed into such Companies as aforesaid, or enlist in the several Companies in the Districts where they respectively reside; and shall be liable in all Cases of Alarm or Invasion to the like Duty that other Persons are subject to by this Act; and at other Times, shall only be liable to such military
Duty

Duty as the Governor or Commander in Chief for the Time being shall direct; under the several Pains, Penalties, Fines and Forfeitures laid in this Act on others in the like Cases offending.

XXXII. *Be it Enacted by the Authority aforesaid,* That no Officer of the Militia of this Colony, shall surrender or resign his Commission, unless he is superceded in his Rank, or hath served in that Rank Fifteen Years at the least: In either of which Cases such Person may resign his Commission, but shall nevertheless be subject to the like Service and Penalties, as Persons heretofore exempted from inlisting in the Militia, are liable to by this Act. And all Commissions granted to Persons which do not confine them to any particular Corps, or to some Corps in the City or County where such Persons reside, shall be and are hereby declared null and void; any Law, Ordinance, Commission, Usage or Custom to the contrary notwithstanding.

Provided always, That all Doctors of Physick, Practitioners in Physick, and Surgeons, shall not be obliged to inlist in any Troop or Company, or to do

Officers not to resign their commissions unless they are superceded in rank, or have served 15 years in the same Rank.

In which case they are to do duty as persons heretofore exempted.

Commissions not confined to any particular corps, &c. void.

Doctors of physick, surgeons, &c. not obliged to inlist.

any

But to do du-
ty on invasion
as

military Duty whatsoever; but (as those who reside in the Cities of *New-York* or *Albany*) shall be subject to such Duty in Time of Invasion, as is before directed in this Act.

other Persons
exempted.

Provided also, That Persons employed in Furnaces for making of Iron, two Ferrymen to every publick Ferry, two Men to every Pilot-Boat, one Miller to each Grift-Mill-House, and Keepers of publick Goals, shall be and are hereby declared free and exempt from all military Duty whatsoever, except in Time of actual Invasion: And nothing in this Act shall extend or be construed to lessen or abridge the several Liberties and Exemptions which are allowed and granted to the Firemen of the City of *New-York*, in and by an Act, entitled, *An Act for the better extinguishing Fires which may happen in the City of New-York*, passed in the Eleventh Year of his Majesty's Reign.

How fines a-
rising by this
act shall be
recovered
and applied,

XXXIII. Be it Enacted by the Authority aforesaid, That in Case the several Fines, Penalties and Forfeitures in this Act mentioned, that do not exceed the Sum of *Twenty Shillings*, shall not be paid on Demand, the same shall be levied, recovered and disposed of as followeth,

followeth, *That is to say*, That all such Forfeitures as do relate to any Person under the Degree of a Captain, shall be judged and taken by the respective Captains, to defray the Charges of their Troops and Companies, and be levied before the next exercising Day, by Distress and Sale of the Offender's Goods, by Warrant from the Captain or next commanding Officer, directed to the Sergeant or Corporal of the Company wherein the said Offence was committed. But if the Offender be a Servant, or under his Parents Care, then and in such Case, the Masters and Parents Goods shall be liable to such Distress and Sale as aforesaid, 'til Satisfaction be made. And if any Sergeant or Corporal shall refuse to execute such Warrant so to him directed, such Sergeant or Corporal shall, for every such Offence, forfeit for the Uses above-mentioned, the Sum of *Forty Shillings*, to be levied in Manner before expressed, by such other Sergeant or Corporal as such Warrant shall be directed to : And all other Penalties and Forfeitures in this Act mentioned, which relate to any Person under the Degree of a Colonel, or that are not otherwise applied in this

Masters and parents goods liable to the fines of their servants and children under their care.

Penalty on sergeants refusing to serve Warrants to levy fines.

Fee for exe-
cuting war-
rants.

Act, ſhall be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant from the Colonel or the next Field-Officer, where ſuch Offenders are; and all ſuch Penalties and Forfeitures as do relate to a Colonel, the ſame ſhall be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant, from the Governor or Commander in Chief for the Time being; which Forfeiture ſhall be applied towards purchaſing Arms for the Uſe and Benefit of the Regiment in the Cities or Counties where the Offence is committed. And the Sergeants or Corporals of the Regiment are to reſerve to themſelves, out of ſuch Diſtreſs, over and above the Fine or Forfeiture, the Sum of *Three Shillings*, for executing each Warrant from their Captain or other ſuperior Officer; which Warrant, and the Execution thereof, by the Perſon to whom directed, ſhall be good in Law, and of full Force and Virtue, to and for the Purpoſes in this Act mentioned.

Officers not
levying fines
to forfeit 5^l.

XXXIV. And be it Enacted, That if any Colonel or other Officer, whoſe Duty it ſhall or may be to iſſue ſuch Warrants as aforeſaid, for levying any Fine or Forfeiture impoſed and laid by this

this Act, and who shall refuse or neglect to issue such Warrants, and cause such Fines or Forfeitures to be levied upon the Defaulter or Defaulters ; such Colonel or other Officer, shall forfeit for every such Neglect or Refusal, the Sum of *Five Pounds*, to be recovered and applied as aforesaid.

XXXV. And be it further Enacted *by the same Authority*, That in Case no Goods be found, on which to levy the Distress, for the several Fines and Forfeitures by this Act incurred, the Person offending shall be committed to the County Goal ; and the Sherif of the City or County where the Forfeiture is incurred, is hereby impowered, and required to receive the Body of all such Delinquents as shall be brought to him, by Virtue of any Warrant or Warrants issued pursuant to the Directions of this Act ; and him or them to keep in safe Custody, until such Fines and Fees mentioned in such Warrant are paid. And it is hereby declared, That such Sheriff shall in all such Cases, be intitled to the same Fees as are allowed in all other Cases.

If no goods be found to levy fines upon, the offenders to be committed to goal.

XXXVI. Be it also Enacted *by the Authority aforesaid*, That when ever it

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In what man-
ner courts-
martial ſhall
be conſtitu-
ted.

The power of
ſuch courts.

ſhall be found neceſſary to conſtitute and appoint a Court-Martial, in any of the Regiments of this Colony, the Colonel ſhall return himſelf, and the next Commanding Officer of the Regiment, and Twenty-four other commiſſioned Officers of his Regiment, to the Governor or Commander in Chief for the Time being; who ſhall commiſſionate under the Great Seal of this Colony, Thirteen out of the ſaid Twenty-fix, to be a Court-Martial, of whom a Field Officer ſhall always be one; which Field Officer ſhall be Preſident of the Court. And ſuch Court-Martial, ſhall have Power and Authority to adminiſter an Oath to any Witneſs, in Order to the Examination or Trial of any of the Offences that ſhall come before the ſaid Court. *Provided always,* That in all Trials by a Court-Martial, by Virtue of this Act, every Officer preſent at ſuch Trial, before any Proceedings be had thereupon, ſhall take an Oath upon the holy Evangeliſts, before one of the Judges of the Supreme Court, or one of the Judges of the Inferior Courts of Common Pleas, in the ſeveral Counties where ſuch Courts-Martial are held, who are hereby authorized to adminiſter the ſame, in theſe Words, *that is to ſay,* I A. B.

[A. B. do swear, That I will duly administer Justice according to Evidence, and to the Direction of an Act, entitled, An Act for the regulating the Militia of the Colony of New-York, without Partiality, Favour or Affection ; and that I will not divulge the Sentence of the Court until it shall be approved by the Governor or Commander in Chief for the Time being ; neither will I upon any Account at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-Martial. So help me God.

The oath to be taken by officers who are of the court-martial

AND no Sentence of Death or other Sentence, shall be given against any Offender, but by the Concurrence of the major Part of the Officers sworn, which major Part shall not be less than Nine ; and no Sentence against any Delinquent shall be put in Execution, until Report be made of the whole Proceedings to the Governor or Commander in Chief for the Time being, and his Directions signified thereupon.

No sentence to be given but by a majority of 9,

Or put in execution until the proceedings be reported to the commander in chief.

XXXVII. WHEREAS there are in this Colony many of the People called Quakers, who from religious or conscientious Scruples, are averse to the bearing of Arms, or Military Service ;

The People called Quakers subject only to a fine of 20s for not enlisting, &c.

But to serve,
or send others
on military
watch, on
penalty of
10s.

Be it therefore Enacted by the Authority aforesaid, That no Person, being of the People called *Quakers*, shall be liable to any other or greater Fine, during the Continuance of this Act, than the Sum of *Twenty Shillings*, for not inlisting, or refusing or neglecting to do Duty in the Militia of this Colony; which Fine shall be levied in three Months after the Publication of this Act. But if any such Person being duly warned, shall refuse or neglect to serve on any Military Watch, appointed by Virtue of this Act, or to send a sufficient and well armed Man in his Place, he shall forfeit for every such Offence the Sum of *Ten Shillings*.

XXXVIII. AND whereas an Act of the Parliament of *Great Britain*, was passed in the Twenty Second Year of his present Majesty's Reign, entitled, *An Act for encouraging the People known by the Name of Unitas Fratrum or United Brethren, to settle in his Majesty's Colonies in America*: Whereby every Person who is a Member of the Church or Congregation called *Unitas Fratrum* or *United Brethren*, and who shall reside in any of his Majesty's Colonies in *America*, is exempted from bearing Arms, or doing
military

military Service, in any of the said Colonies : but shall nevertheless contribute and pay such Sums of Money, as shall be rated and assessed on such Person, in Lieu of such personal Service. And although such Contribution may be a reasonable Compensation to the Publick for the Want of such personal military Service ; Yet in Times of imminent Danger every one ought to exert himself to his utmost in the Defence of his Country ; and as such Persons may be usefully employed in Services no Ways incompatible with their religious Sentiments ; **Be it therefore Enacted by the Authority aforesaid,** That in Lieu of the personal military Service of the People of the said Church or Congregation, called *Unitas Fratrum*, or *United Brethren*, who reside in this Colony, every of them claiming such Exemption, shall pay the Sum of *Twenty Shillings*, to be levied in Three Months after the Publication of this Act. And every of them who being duly warned to serve on such military Watch as aforesaid, shall neglect or refuse so to do, or to send a sufficient well-armed Man in his stead, shall forfeit for every such Neglect or Refusal, the

The people called *Moravians*, subject to a fine of 20s. in lieu of personal military service,

And 10s for not serving on military watch.

Duty of *Moravians* and *Quakers* in time of alarm or invasion.

the Sum of *Ten Shillings*. And the People of the said Church or Congregation; and also, all such who are of the People called *Quakers*, who refuse to bear Arms, shall, in Time of Alarm or Invasion, severally appear provided with one good Spade, Iron-shod Shovel and Pick-axe, and Six empty Bags, each Bag sufficient to contain two Bushels, and shall serve as Pioneers or Labourers, or upon any other than military Service, in such Manner as shall be directed by the Governor or Commander in Chief for the Time being, or the commanding Officer in the Place where such Alarm or Invasion may happen, under the Penalty of *One Hundred Pounds*.

Their fines how recovered and applied.

XXXIX. And be it Enacted, That the several Rates, Penalties, Fines and Forfeitures, which shall accrue and grow due from the People of the said Church or Congregation; and from the People called *Quakers*, shall be paid to the respective City or County Treasurers, where the same shall arise: And on Non-payment thereof, such Treasurers respectively, shall forthwith make Application to any one Justice of the Peace, for a Warrant to levy the same

same by Distress and Sale of the Offenders Goods, who is hereby directed to grant such Warrant; and if no Goods be found on which to levy such Rate, Fine or Forfeiture, then to commit the Offender to the County Goal, there to remain until such Rate, Fine or Forfeiture, and the Fees of such Warrant are paid. And the said County Treasurers shall, from Time to Time, render just and true Accounts upon Oath, of all the Monies which they shall so receive, to the Governor or Commander in Chief; And by his Order, apply the same towards purchasing of Arms and Ammunition for the Use of the said Cities or Counties respectively, which shall be lodged in the respective City or County Halls, under the Care of the several Sheriffs, and delivered out from Time to Time, as the Governor or Commander in Chief shall appoint and direct.

XL. Be it further Enacted by the *Moravians* same Authority, that no Person pretending, or claiming to be a Member of the *and Quakers* said Church or Congregation of the *to enrol their names, &c.* *Unitas Fratrum, or United Brethren,* or *with the clerk of the city and county in which they reside.* pretending or claiming to be of the People called *Quakers,* shall be entitled

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to Exemption from military Service by Virtue of this Act, until he shall have entered his Name, Place of his Abode, and Occupation, with the Clerk of the City or County in which he dwells or resides ; who is hereby directed and required, upon the Application of every such Person, and on his producing such Certificate as the Laws require in the like Cases, to enrol the same ; and to give him a Certificate thereof under his Hand and Seal of Office ; for which the said Clerk shall receive *One Shilling and Six Pence* and no more : Which Certificate shall intitle the Person whose Name is mentioned therein to have been enrolled as aforesaid, to the Benefit of this Act ; and the said respective Clerks, are once every three Months to transmit to the Secretary of this Colony or his Deputy, true Copies of all such Entries or Enrolments, to be lodged in the Office of the said Secretary ; and Copies thereof also to the Treasurer of the City or County for which the said Clerks are respectively appointed ; or in Default thereof, the said Clerks shall respectively forfeit the Sum of *Five Pounds*, to be recovered and applied in the same Manner as the several Fines

Clerks to
send copies
of the enrol-
ments to the
secretary and
county trea-
surers every
3 months.

Penalty 5l.

Fines and Forfeitures mentioned in the next preceding Clause in this Act, are directed to be recovered and applied.

XLI. And be it further Enacted by *the Authority aforesaid*, That no Officer or Soldier by this Act directed to appear and muster as aforesaid, or that shall be appointed to watch, shall be liable to be taken by any Officer in any civil Action whatsoever, on the Day whereon such Person is directed to appear or watch, or in any reasonable Time, either in going to, continuing at, or returning home from the Place or Places appointed to muster or watch : And all Officers are hereby required to take Notice hereof and govern themselves accordingly.

Exemption
from arrests
on muster-
days, &c.

XLII. Be it also Enacted by the *Authority aforesaid*, That if any Person or Persons shall be sued, molested, or impleaded for any Matter or Thing lawfully done, and commanded in the Execution and Performance of this Act, he or they shall plead the general Issue, and give this Act in Evidence ; and if the Plaintiff discontinue his Action, be nonsuited, or a Verdict pass against him, the Defendant shall recover treble Costs; nor shall any Suit or Suits be admitted or allowed

Persons sued
may plead
the general
issue.

allowed to be brought, unless it be done within three Months next after the Offence is committed.

Acts 13 and
28 Geo. II.
repealed.

XLIII. And be it Enacted by the Authority aforesaid, That one Act, entitled, *An Act to regulate the Militia of this Colony*, passed in the Thirteenth Year of his present Majesty's Reign: And one other Act, entitled, *An Act to continue an Act, entitled, An Act to regulate the Militia of this Colony, with an Alteration thereto*, passed in the Twenty-Eighth Year of his said Majesty's Reign, and all Acts for reviving or continuing the said First mentioned Act, shall be, and every Article, Clause or Thing in the said Acts contained, are hereby repealed, made void, and rendered of no Force or Effect.

This act not
to extend to
the council
or assembly,
or ministers
of the gospel.

XLIV. And be it also Enacted, That Nothing in this Act shall be construed to subject the Gentlemen of his Majesty's Council, and the Members of the General Assembly, not holding any military Office; or Ministers of the Gospel; to do any military Duty whatsoever.

Or to lessen
the Powers of
the commander
in chief.

XLV. Provided always, and be it further Enacted, That Nothing in this Act contained, shall be intended, or construed

construed to derogate from, or in any wise lessen or diminish, the Powers lodged or invested in the Governor or Commander in Chief for the Time being, by his Majesty's Letters Patent, Commission, or other Power whatsoever; any Thing in this Act contained to the contrary thereof in any wise Notwithstanding.

XLVI. *And be it Enacted,* That this Act shall be of Force for one whole Year from the Publication thereof, and no longer. Act to be in force one year.

F I N I S.
